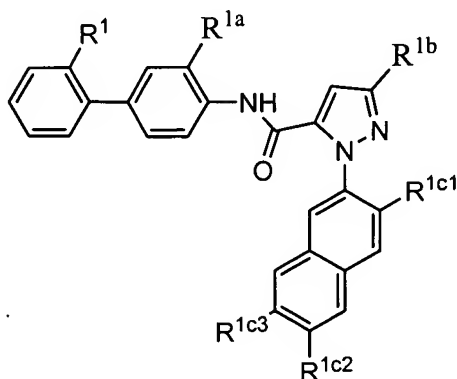


Remarks

Upon entering the above amendments to the claims, claims 21-23, 25-27, 29-31, 33-35 and 37-39 will be pending in this application and subject to a restriction requirement. Claims 1-19 and 24, 28, 32 and 36 are now canceled by Applicants without prejudice or disclaimer. Claims 21- 23, 25-27, 29-30 and 33-34 have been amended and claims 37-39 are new. Support for the present amendment is found in the specification and claims as originally filed. Entry of the amendment prior to substantive examination is solicited to direct the claims to methods of preventing conditions characterized by undesired thrombosis comprising administering compounds claimed in applications which issued as U.S. Patent Nos. 6,632,815 and 6,720,317. Applicants believe no new matter is present in any portion of the preliminary amendment and respectfully request that the amendment be entered for substantive examination.

The Examiner has requested election of single disclosed species. In response, Applicants elect to prosecute the invention of compounds of the following formula below:



wherein R¹ is selected from the group consisting of: -S(=O)₂-NH₂, -S(=O)₂-Me, -CH₂NH₂, and -CH₂NMe₂; R^{1a} is H; R^{1b} is CH₃ or CF₃; R^{1c1} is independently selected from the group consisting of: -H, -F, -Cl, -Br, -NH₂, -OH, -SO₂Me, -SO₂Et, -SO₂NH₂, -NO₂, -CN, -CONH₂ and -CH₂OH; R^{1c2} is independently selected from the group consisting of: -H, -F, -Cl and -Br; and R^{1c3} is independently selected from the group consisting of: -H, -F, -Cl and -Br

Appln. No. 10/600,695
Response dated October 13, 2005
Reply to Non-Compliant Amendment dated September 29, 2005

Moreover, Applicants election is made with traverse. The Office alleges that the claims are generic to a plurality of patentably distinct inventions. Under 35 U.S.C. § 121, there are two criteria for a proper requirement for restriction between patentably distinct inventions:


- (1) the inventions must be independent or distinct as claimed; and
- (2) there must be a serious burden on the examiner if restriction is not required (emphasis added). *See* MPEP § 803. Applicants submit that both these criteria are not met by the presently claimed invention.

The claims encompass a single inventive concept. Specifically, the present invention provides compounds, compositions and therapeutic methods using the compounds and compositions. Accordingly, Applicants believe that any search for the compounds of the invention will provide materials relating to compositions and methods using the compounds and compositions. Thus, Applicants believe that prosecution of the invention, as a whole, would not place a serious burden on the Office sufficient to justify restrictions.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for substantive review on their merits. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5014.

Respectfully submitted,



Mark H. Hopkins, Ph.D.
Reg. No. 44,775

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-
Tel: 925-472-5000 /Fax: 925-472-8895
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